



Received & Inspected
JUN 29 2010
FCC Main Room

June 5, 2010

Federal Communications Commission
Office of the Secretary
445 – 12th Street, NW
Room TW-A325
Washington, DC 20554

RE: CC Docket No. 96-45

Filer 499 ID: 828069 1Wire Communications, LLC

1Wire Communications, LLC would like to appeal the decision by USAC to reject the February 2009 FCC Form 499-Q Revision. Due to a clerical error the projected gross-billed revenues for April 1-June 30 were grossly overstated on the original filing due February 1, 2010. The error was not found until 1Wire received the monthly invoice from USAC. After calling USAC Customer Service, 1Wire was instructed to send in a revision of the original February Form 499-Q with a letter explaining the error. This was sent in on April 30, 2010 and the rejection letter was received May 21, 2010. Due to the error, 1Wire is being billed \$11,031.01 per month from USAC. Financially 1Wire is unable to make this payment. 1Wire is asking that the monthly billing be reduced to reflect the projected gross-billed revenues on the revised 499-Q.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam Sessions'.

Adam Sessions
1Wire Communications, LLC

Contact Information:

Heather Daley
155 N 400 W, Suite 100
Salt Lake City, UT 84103
Phone: 801-924-9493
Fax: 877-806-8670
hdaley@ccicom.com

No. of Copies rec'd
List ABCDE

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May 17, 2010

Attn: Steve Hardy
1Wire Communications, LLC.
155 N 400 W
Suite 100
Salt Lake City, UT 84103

Form 499 Filer ID: 828069

RE: February 2010 FCC Form 499-Q Revision Rejection

Federal Communications Commission (FCC) regulations require carriers to file an FCC Form 499-A annually and an FCC Form 499-Q quarterly and require the Universal Service Administrative Company (USAC) to bill contributors based on reported revenues. See generally 47 C.F.R. Part 54. The February 2010 FCC Form 499-Q was due, with revisions due by (45 days later). This 45 day form revision window is clearly noted in the instructions for the FCC Form 499 Q, is discussed in a document entitled "Helpful Hints" that was included with the form, and is posted on USAC's website www.universalservice.org. In addition, questions concerning forms and revisions can be addressed to USAC via email at Form499@universalservice.org.

Because USAC received the February 2010 FCC Form 499-Q submitted by the above-referenced Form 499 Filer ID 828069 1Wire Communications, LLC. after the due date and outside of the 45-day revision window, the form was untimely and will not be processed.

If this submission was intended to revise revenue reported on a previously filed original Form 499-Q, please note USAC has relied upon the revenue previously projected by you for the purposes of calculating your universal service charges for April, May and June 2010. If you failed to timely file an original Form 499-Q, please note USAC has relied on revenue previously reported by you for the purpose of calculating your universal service charges for April, May and June 2010.

When a carrier fails to file an FCC Form 499 by the due date, in order to calculate universal service charges for the relevant period, FCC regulations require USAC to estimate that carrier's revenue based upon previously reported revenue information.

Please note that although you missed the revision window for submission of the Form 499-Q, the annual/quarterly (A/Q) true-up will provide a remedy. USAC's 2011 A/Q true-up will reconcile and revise contributor's account accordingly. The 2011 Form 499 A, reporting annual 2010 revenue, has a due date of April 1, 2011. Upon receipt of contributor's 2011 Form 499-A, USAC will perform the A/Q true-up and post appropriate credits or adjustments to your account.

If you wish to appeal this decision with USAC, your appeal must be postmarked no later than 60 days after the date of USAC's rejection letter. Appeals postmarked after 60 days from the date of this letter will be automatically dismissed.

In the event that you choose to appeal the decision, you should follow these guidelines:

- Write a "Letter of Appeal to USAC" explaining why you disagree with this Form 499-Q rejection letter and identify the outcome that you request.
- Be sure to refer to CC Docket No. 96-45 on all communication with the FCC.
- The appeal must identify the "Legal Reporting Name" and "Filer 499 ID".
- Provide necessary contact information. Please list the name, address, telephone number, fax number, and e-mail address (if available) of the person who can most readily discuss this appeal with USAC.
- Explain the appeal to the USAC. Please provide documentation to support your appeal.

- Attach a photocopy of this Revised Form 499-Q Rejection decision that you are appealing.
- Mail your letter to:
Letter of Appeal
USAC
2000 L Street, NW, Suite 200
Washington, DC 20036
- **Appeals submitted by fax, telephone call, and e-mail will not be processed.**

The response will indicate whether USAC:

- Agrees with your letter of appeal, and approves an outcome that is different from the Revised Form 499-Q Rejection Letter; or
- Disagrees with your letter of appeal, and the reasons therefore.

If you disagree with USAC's response to your "letter of appeal," you may file an appeal with the FCC within 60 days of the date USAC issued its decision in response to your "Letter of Appeal." Again, please note your appeal must be postmarked no later than 60 days after the date of the Appeal Decision. Appeals postmarked after 60 days from the date of USAC's response to your appeal will be automatically dismissed. The FCC rules governing the appeals process (Part 54 of Title 47 of the Code of Federal Regulations 54.719 – 54.725) are available on the FCC web site (www.fcc.gov).

Please be sure to refer to CC Docket No. 96-45 on all communication with the FCC. The appeal must also provide your company's name and Filer ID, plus necessary contact information, including the name, address, telephone number, fax number, and e-mail address of the person filing the appeal. Unless the appeal is by ECFS, please include a copy of the decision at issue.

Appeals submitted via the United States Postal Service, should be sent to the address below (For security purposes, hand-delivered or messenger-delivered documents will not be accepted at this Washington, DC address):

Federal Communications Commission
Office of the Secretary
445 – 12th Street, SW
Room TW-A325
Washington, DC 20554

Documents sent by hand-delivery or messenger should be sent to the following address:

Federal Communications Commission
Office of the Secretary
9300 East Hampton Drive
Capitol Heights, MD 20743
(8:00 A.M. – 5:30 P.M. ET)

Appeals may also be submitted to the FCC electronically, either by the Electronic Comment Filing System (ECFS) or by fax. The FCC recommends filing with the ECFS to ensure timely filing. Instructions for using ECFS can be found on the ECFS page of the FCC web site. Appeals to the FCC filed by fax must be faxed to 202-418-0187. Electronic appeals will be considered filed on a business day if they are received at any time before 12:00 A.M. (midnight), Eastern Standard Time. Fax transmissions will be considered filed on a business day if the complete transmission is received at any time before 12:00 A.M.

If you have questions or concerns regarding this letter, please contact USAC Customer Service at (888) 641-8722 Option 1, Option 2.

Sincerely,

USAC

FCC Form 499-Q Telecommunications Reporting Worksheet

Quarterly Filing for Universal Service Contributors

>>> Please read instructions before completing <<<

Approval by OMB
3060-0855

Block 1: Contributor Identification Information

101

Filer 499 ID

828069

102 Legal name of reporting entity

1Wire Communications, LLC

103 IRS employer identification number

20-5754929

104 Name telecommunications provider is doing business as

105 Holding company [All affiliated companies should show same name here.]

106 FCC Registration Number (FRN)

0019367861

107 Complete mailing address of reporting entity's corporate headquarters

155 N 400 W Suite 100
Salt Lake City, UT 84103

Block 2: Contact Information

108 Person who completed this worksheet

First

Steve

MI

Last

Hardy

109 Telephone number of this person

(801) 990-6209

110 Fax number of this person

(801) 990-6208

111 Email of this person

steveh@1wire.com.com

112 Billing address and billing contact person:
[Bills for Universal Service contributions will be sent to this address.]

155 N 400 W Suite 100

Salt Lake City, UT 84103

Block 3: Contributor Historical and Projected Revenue Information

113 Year of historical revenue information

114 Indicate which quarterly filing this represents

☒ Filing due
☐ February 1
☐ May 1
☐ August 1
☐ November 1

Historical revenues for
October 1 - December 31 (prior year)
January 1 - March 31
April 1 - June 30
July 1 - September 30

Projected revenues for
April 1 - June 30
July 1 - September 30
October 1 - December 31
January 1 - March 31 (following calendar year)

Historical billed revenues with no allowance or deductions for uncollectibles. See instructions.

Total
Revenues
(a)

Interstate
Revenues
(b)

International
Revenues
(c)

115 Telecommunications provided to other universal service contributors for resale as telecommunications or as interconnected VoIP

0

0

0

116 End-user telecommunications revenues including any pass-through charges for universal service contributions, but excluding international-to-international revenues

0

0

0

117 All other goods and services

0

Column (b) and (c) not requested
for Lines 117 and 118

118 Gross-billed revenues from all sources [sum of above]

0

119 Projected gross-billed end-user interstate and international telecommunications revenues including any pass-through charges for universal service contributions, but excluding international-to-international revenues

250,000

0

120 Projected collected end-user interstate and international telecommunications revenues including any pass-through charges for universal service contributions, but excluding international-to-international revenues

250,000

0

Block 4: CERTIFICATION: to be signed by an officer of the reporting entity

121 I certify that the revenue data contained herein are privileged and confidential and that public disclosure of such information would likely cause substantial harm to the competitive position of the company. I request nondisclosure of the revenue information contained herein pursuant to sections 0.459, 52.17, 54.711 and 64.604 of the Commission's Rules.

☐

I certify that I am an officer of the above-named reporting entity, that I have examined the foregoing report and to the best of my knowledge, information and belief, all statements of fact contained in this Worksheet are true, that said Worksheet is an accurate statement of the affairs of the above-named company for the quarter and that the projections of gross-billed and collected revenues represent a good-faith estimate based on company procedures and policies.

122 Signature

First

Steve

MI

Last

Hardy

123 Printed name of officer

124 Position with reporting entity

President

125 Email of officer || Required if available ||

steveh@1wire.com.com

126 Date

2/19/10

127 This filing is:

☒ Original filing

☐ Revised filing [revisions due within 45 days of original filing deadline]

Do not mail checks with this form. Send this form to: Form 499 Data Collection Agent c/o USAC 2000 L Street, N.W. Suite 200 Washington DC, 20036

For additional information regarding this worksheet contact: Telecommunications Reporting Worksheet Info: (888) 641-8722 or via e-mail: Form499@universalservice.org

PERSONS WILLFULLY MAKING FALSE STATEMENTS IN THE WORKSHEET CAN BE PUNISHED BY FINE OR IMPRISONMENT UNDER TITLE 18 OF THE UNITED STATES CODE, 18 U.S.C. §1001

Save time, avoid problems - file electronically at

<http://forms.universalservice.org>

FCC Form 499-Q
April 2009



April 30, 2010

RE: Filer 499 ID 828069

Due to a clerical error, projected gross-billed interstate revenues for April 1 – June 30 were overstated on the original filing due February 1, 2010. Please accept this revised filing and adjust the monthly remittance due to reflect the correct projected quarterly revenues.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Bennett'.

Jim Bennett
Chief Financial Officer
1Wire Communications, LLC

FCC Form 499-Q Telecommunications Reporting Worksheet

Quarterly Filing for Universal Service Contributors

>>> Please read instructions before completing <<<

Approval by OMB
3060-0855

Block 1: Contributor Identification Information

101

File 499 ID

828069

| | | |
|-----|--|---|
| 102 | Legal name of reporting entity | 2Wire Communications, LLC |
| 103 | IRS employer identification number | 20-5754929 |
| 104 | Name telecommunications provider is doing business as | |
| 105 | Holding company [All affiliated companies should show same name here.] | |
| 106 | FCC Registration Number (FRN) | 0019367861 |
| 107 | Complete mailing address of reporting entity's corporate headquarters | 155 N 400 W Suite 100 Salt Lake City, UT 84103 |

Block 2: Contact Information

| | | |
|-----|--|---|
| 108 | Person who completed this worksheet | First Steve MI Last Hardy |
| 109 | Telephone number of this person | (801) - 990-6209 |
| 110 | Fax number of this person | (801) - 990-6208 |
| 111 | Email of this person | steve.h@2wire.com.com |
| 112 | Billing address and billing contact person: [Bills for Universal Service contributions will be sent to this address.] | 155 N 400 W Suite 100 Salt Lake City, UT 84103 |

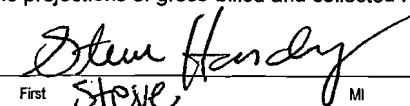
Block 3: Contributor Historical and Projected Revenue Information

| | | | | |
|--|--|---|---|---|
| 113 | Year of historical revenue information | | | |
| 114 | Indicate which quarterly filing this represents | <input checked="" type="checkbox"/> Filing due February 1 <input type="checkbox"/> May 1 <input type="checkbox"/> August 1 <input type="checkbox"/> November 1 | Historical revenues for October 1 - December 31 (prior year) January 1 - March 31 April 1 - June 30 July 1 - September 30 | Projected revenues for April 1 - June 30 July 1 - September 30 October 1 - December 31 January 1 - March 31 (following calendar year) |
| Historical billed revenues with no allowance or deductions for uncollectibles. See instructions. | | | Total Revenues (a) | Interstate Revenues (b) |
| 115 | Telecommunications provided to other universal service contributors for resale as telecommunications or as interconnected VoIP | | 0 | 0 |
| 116 | End-user telecommunications revenues including any pass-through charges for universal service contributions, but excluding international-to-international revenues | | 0 | 0 |
| 117 | All other goods and services | | 0 | Column (b) and (c) not requested |
| 118 | Gross-billed revenues from all sources [sum of above] | | 0 | for Lines 117 and 118 |
| 119 | Projected gross-billed end-user interstate and international telecommunications revenues including any pass-through charges for universal service contributions, but excluding international-to-international revenues | | | 13,000 |
| 120 | Projected collected end-user interstate and international telecommunications revenues including any pass-through charges for universal service contributions, but excluding international-to-international revenues | | | 13,000 |

Block 4: CERTIFICATION: to be signed by an officer of the reporting entity

121 I certify that the revenue data contained herein are privileged and confidential and that public disclosure of such information would likely cause substantial harm to the competitive position of the company. I request nondisclosure of the revenue information contained herein pursuant to sections 0.459, 52.17, 54.711 and 64.604 of the Commission's Rules. ☐

I certify that I am an officer of the above-named reporting entity, that I have examined the foregoing report and to the best of my knowledge, information and belief, all statements of fact contained in this Worksheet are true, that said Worksheet is an accurate statement of the affairs of the above-named company for the quarter and that the projections of gross-billed and collected revenues represent a good-faith estimate based on company procedures and policies.

| | | |
|-----|---|---|
| 122 | Signature |  |
| 123 | Printed name of officer | First Steve MI Last Hardy |
| 124 | Position with reporting entity | President |
| 125 | Email of officer Required if available | steve.h@2wire.com.com |
| 126 | Date | 4/30/10 |
| 127 | This filing is: | <input type="checkbox"/> Original filing <input checked="" type="checkbox"/> Revised filing [revisions due within 45 days of original filing deadline] |

Do not mail checks with this form. Send this form to: Form 499 Data Collection Agent c/o USAC 2000 L Street, N.W. Suite 200 Washington DC, 20036

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FCC Form 499-Q
February 2010